

1 COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

2	Name: STANLEY RODRIC P.	
3	(Last) (First)	(Middle Initial)

4 | Prisoner Number: CC18K0926

5 Institutional Address: 5555 GIANT HIGHWAY  
6 RICHMOND CA, 94806

FILED

Feb 02 2021

SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

RODRIC PETRECE STANLEY, JR.

*(Enter your full name.)*

UNITED STATES DISTRICT COURT

**NORTHERN DISTRICT OF CALIFORNIA**

MARTINEZ DETENTION FACILITY

MARTINEZ DETENTION FACILITY;  
WEST COUNTY DETENTION FACILITY  
COOKS AND KITCHEN STAFF DIETICIAN  
(Enter the full name(s) of the defendant(s) in this action.)

COOKS AND KITCHEN STAFF DIETICIAN  
(Enter the full name(s) of the defendant(s) in this action.)

4:21-cv-00832 KAW

**Case No.** \_\_\_\_\_  
*(Provided by the clerk upon filing)*

**COMPLAINT UNDER THE  
CIVIL RIGHTS ACT,  
42 U.S.C. § 1983**

#### I. Exhaustion of Administrative Remedies.

**Note:** You must exhaust available administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.

20 A. Place of present confinement \_\_\_\_\_

21 B. Is there a grievance procedure in this institution? YES  NO

22 C. If so, did you present the facts in your complaint for review through the grievance  
23 procedure? YES  NO

24 D. If your answer is YES, list the appeal number and the date and result of the appeal at each  
25 level of review. If you did not pursue any available level of appeal, explain why.

26 1. Informal appeal: 7/27/2020 - 8/6/2020 - 8/6/2020 - 9/25, 2020 -

27 9/29/2020 - 1/11/2021 - 1/19/2021

1           2. First formal level: \_\_\_\_\_  
2  
3  
4           3. Second formal level: \_\_\_\_\_  
5  
6  
7           4. Third formal level: \_\_\_\_\_  
8  
9

10 E. Is the last level to which you appealed the highest level of appeal available to you?

11           YES      NO

12 F. If you did not present your claim for review through the grievance procedure, explain why.

13 \_\_\_\_\_  
14 \_\_\_\_\_  
15 \_\_\_\_\_

16 **II. Parties.**

17 A. Write your name and present address. Do the same for additional plaintiffs, if any.

18 5555 GIANT HIGHWAY RICHMOND CA 94806

21 B. For each defendant, provide full name, official position and place of employment.

22 ALL COOKS AND HEADCOOK AZTIAN EMPLOYED AT  
23 MARTINEZ DETENTION FACILITY AND WEST COUNTY DETENTION  
24 FACILITY COUNT JAIL IN CONTRA COSTA COUNTY

### **III. Statement of Claim.**

State briefly the facts of your case. Be sure to describe how each defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If you have more than one claim, each claim should be set forth in a separate numbered paragraph.

4 IVE BEEN INCARCERATED INSIDE OF CONTRA COSTA COUNTY JAILS  
5 SINCE SEPTEMBER 25, 2018 I DID NOT EAT THERE FOOD BECAUSE  
6 IT LOOKED WEIRD. SO I DEPENDANT ON COMMISSARY UNTILL  
7 MARCH 2020 THINGS GOT DIFFICULT FOR THE SUPPORT I HAD  
8 SO I HAD TO RELY ON THE COUNTY JAIL FOOD TO EAT,  
9 APRIL 8, 2020 I ATE MEAT THATS PROVIDED BY THE COUNTY AND  
10 HAD A SERIOUS ALLERGIC REACTION, SWELLING OF THE THRUUGHT  
11 FEET AND HANDS, NAUSEA, AND HIVES, THE COUNTY JAIL MEALS ARE  
12 95% SOY BASED ALMOST EVERY MEAL IS CONTAINED BY SOY.  
13 I WAS ALREADY ALLERGIC TO ALMONDS, EGGS, AND BEANS SO I  
14 WAS PLACED ON A VEGATARIAN DIET, WHICH IM NOT A VEGATARIAN  
15 THE AMOUNT GIVEN WAS AND IS UNDER 1000 CALORIES AND LESS THAN

**IV. Relief.** THAN 24 GRAMS OF PROTEIN THERE IS NO HIGH PROTEIN.  
BEFOR PLACED ON THE DIET I WAS FED THE THINGS I AM ALLERGIC TO

Your complaint must include a request for specific relief. State briefly exactly what you want the court to do for you. Do not make legal arguments and do not cite any cases or statutes.

18 TO CONSIDER OTHERS LIKE MYSELF WHO MAY BE ALLERGIC  
19 TO A VARIETY OF THINGS AND TO MAKE BETTER MEALS FOR  
20 PEOPLE AS MYSELF AND TO GRANT COMPENSATORY DAMAGES  
21 IN THE AMOUNT OF \$180,000.00 ONE HUNDRED AND THIRTY THOUSAND  
22 AGAINST DEFENDANTS JOINTLY AND SEVERALLY AND JURY TRIAL ON ALL  
23 ISSUES TRIABLE BY JURY

24 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

25 || Executed on: JANUARY 19, 2021

Date

*Signature of Plaintiff*

RODRIC RETRECE STANLEY JR.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PLAINTIFF,

V.

MARTINEZ DETENTION FACILITY;  
WEST COUNT DETENTION FACILITY  
COOKS AND KITCHEN STAFF

DEFENDANTS.

COMPLAINT  


## I. JURISDICTION AND VENUE

1. THIS IS A CIVIL ACTION AUTHORIZED BY 42 U.S.C SECTION 1983 TO REDRESS THE DERIVATION UNDER COLOR OF STATE LAW, OF RIGHTS SECURED BY THE CONSTITUTION OF THE UNITED STATES. THE COURT HAS JURISDICTION UNDER 28 U.S.C SECTION 1331 AND 1333.  
(A) (3). PLAINTIFF STANLEY SEEKS DECLARATORY RELIEF PURSUANT TO 28. U.S.C SECTION 2201 AND 2202. PLAINTIFF STANLEY CLAIMS FOR INJUNCTIVE RELIEF ARE AUTHORIZED BY 28 U.S.C. SECTION 2283 AND 2284 AND RULE 65 OF THE FEDERAL RULES OF CIVIL PROCEDURE.
2. THE NORTHERN DISTRICT OF CALIFORNIA IS AN APPROPRIATE VENUE UNDER 28 U.S.C SECTION 1331 (B) (2) BECAUSE IT IS WHERE THE EVENTS RISE TO THIS CLAIM OCCURRED.

## II. PLAINTIFF.

3. PLAINTIFF RODRIC RETRECE STANLEY JR. IS AND WAS AT ALL TIMES MENTIONED HEREIN A INMATE AT CONTRA COSTA COUNTY DETENTION FACILITY IN CUSTODY OF BOTH MARTINEZ DETENTION FACILITY AND WEST COUNTY DETENTION FACILITY. HE IS CURRENTLY CONFINED IN WEST COUNTY DETENTION FACILITY.

## III. DEFENDANTS.

4. CONTRA COSTA COUNTY COOKS AND KITCHEN STAFF IS ASSIGNED COOKS AND STAFF WHO PROVIDE EACH INDIVIDUAL MEALS, DIETS, AND ALLERGY FOOD TO INMATES IN CONTRA COSTA COUNTY JAILS WHO ARE RESPONSIBLE FOR EACH MEAL PROVIDED TO EACH INMATE.

5. CONTRA COSTA COUNTY COOKS AND STAFF IS SUED TOGETHER AND  
 6. IN DEFENDANTS OFFICIAL CAPACITY. AT ALL TIMES MENTIONED IN THIS  
 7. COMPLAINT DEFENDANTS ACTED UNDER COLOR OF STATE LAW.

#### IV. FACTS.

6. On APRIL 8, 2020 PLAINTIFF ATE SOY MEAT FOR THE FIRST TIME WHICH IS PROVIDED TO INMATES IN CONTRA COSTA COUNTY. BY THE KITCHEN COOKS. DUE TO THE PANDEMIC PLAINTIFF FAMILY SUFFERED FROM IT DUE TO CLOSURE OF BUSINESSES. WHICH STOP PLAINTIFF FROM GETTING MONEY PLACED ON HIS BOOKS FOR PLAINTIFF STANLEY TO ORDER FROM COMMISSARY. CAUSING STANLEY TO RELY ON EATING COUNTY ISSUED FOOD. PLAINTIFF HAD A ALLERGIC REACTION. AFTER TAKEN A FEW BITES. PLAINTIFF SUFFERED FROM THE SOY BASED MEAT WITH HIVES. AND SWELLING OF ANALES AND THROUGHT STANLEY WAS SEEN BY MEDICAL AND WROTE ON INMATES REQUEST SLIP ABOUT THE REACTIONS. (MEDICAL R.N) ETHAN PROVIDED HIM WITH A MEDICAL SLIP DESCRIBING PLAINTIFF ALLERGIES. WHICH WAS (EGGS, BALUNEY, BEANS, RICE ALMONDS, AND SOY) COOKS WERE NOTIFIED WITH A COPY AS WELL. (MEDICAL SLIP ATTACHED)

15. 7. ON APRIL 19, 2020 THE COOKS INSIDE MARTINEZ DETENTION FACILITY SENT STANLY SOY MEAT AS WELL AS BALUNEY DISREGARDING STANLEY HEALTH.  
 16. STANLEY NOTIFIED DEPUTIES THAT HE WAS ALLERGIC TO SOY AND BALUNEY.  
 17. DEPUTY ALFARO CALLED THE COOKS IN THE KITCHEN TO NOTIFY THEM AND THE COOK TOLD DEPUTY ALFARO "THE MEAT WAS NOT SOY." DEPUTY ALFARO RELIED THE COMMENT THE COOK SAID. AND STANLEY HE IS NOT EATING THAT MEAT. DEPUTY ALFARO DOCUMENTED STANLEY REFUSED HIS MEAL.  
 18. STANLEY WROTE MEDICAL DR. JESSICA C STANDISH (GRIEVANCE ATTACHED)  
 19. DR. STANDISH NOTIFIED THE COOKS OF ALL ALLERGIES.  
 20.

21. 8. DUE TO THESE INCIDENTS STANLEY SPOKE TO HIS FAMILY AND LET THEM  
 22. NO WHAT WAS GOIN ON. PLAINTIFF DESIDED THEY RATHER GO WITHOUT A  
 23. LITTLE WHILE TO PROVIDE STANLEY TO ORDER FROM COMMISSARY. STANLEY  
 24. WENT ON A HUNGER STRIKE APRIL 20, 2020.

25. 9. ON APRIL 28, 2020 STANLEY WAS STILL ON A HUNGER STRIKE. THE  
 26. COOKS STILL SENT STANLEY SOY BASED MEAT, AND OTHER THINGS PLAINTIFF  
 27. WAS ALLERGIC TO. STANLEY WROTE TO THE KITCHEN MULTIPUL TIMES WITH  
 28. NO REPLY BACK. PLAINTIFF THEN WRITES DR STANDISH AGAIN (GRIEVANCE ATT)  
 SHE EXPLAINED SHE INCLUDED ANOTHER ORDER.

10. ON MAY 27, 2020 STANLEY REMAINED ON A HUNGER STRIKE PASSING OUT INBETWEEN 4-28 - MAY 27, 2020 PLAINTIFF WAS SOUGHT BY MEDICAL DEPUTIES ASKED FOR THE HEALTH OF PLAINTIFF THEY WILL PROVIDE STANLEY DELI TURKEY AND CHEESE, AND WHAT EVER ELSE THEY CAN THEY INSTRUCTED STANLEY JUST TO EAT SOMTHING. STANLEY FINALLY ATE. PLAINTIFF WAS STILL BEING SENT SOY MEAT. PLAINTIFF WROTE A GRIEVANCE TO L.T WOODEN

1 (GRIEVANCE ATT) STANLEY DENIED COMMISSARY, FISH AND OTHER HIGH PROTEINS  
2 DUE TO COVID ATTACKING LOW HEALTH CITIZENS  
3  
4 11. ON JUNE 4, 2020 STANLEY WENT BACK ON A HUNGERSTRIKE, DUE TO  
5 NOTHING NOT CHANGING, AND EVERY DEPUTY WAS NOT PROVIDING STANLEY  
6 DELI TURKEY AND CHEESE, STANLEY WROTE TO MEDICAL (GRIEVANCE ATT)  
7 PLAINTIFF AT THIS TIME IS 256 POUNDS

8 12. ON JUNE 10, 2020 STANLEY IS STILL ON A HUNGER STRIKE, DUE TO THE  
9 COOKS IN MARTINEZ DETENTION FACILITY IGNORING THAT PLAINTIFF IS  
10 ALLERGIC TO SOY MEAT, RICE, EGGS, BEANS, OATS, BALONEY, AND ALMONDS.  
11 STANLEY WROTE A GRIEVANCE (GRIEVANCE ATT) EXPLAINING THE  
12 REASIN STANLEY WAS CURRENTLY ON A HUNGER STRIKE, AND THAT PLAINTIFF  
13 WOULD NOT BE DRINKING WATER AS WELL BECAUSE THE KITCHEN DESIDED  
14 TO NOT ONLY FEED STANLEY THINGS HE WAS ALLERGIC TO BUT DESIDED TO  
15 FEED HIM UNDER CDC GUIDE LINES OF PROTEIN/HIGH PROTEINS AND  
16 CALORIES. THE COOKS TOOK AWAY THE SOY MEAT AND REPLACED IT WITH  
17 RICE AND 2 SLICES OF SWEET POTATO. EVERYDAY FROM JUNE 5 -  
18 JUNE 10, 2020, DEPRIVING STANLEY OF A REGULAR DIET AND PROTEINS AND  
19 CALORIES. YET STILL SENDING STANLEY RICE WHICH HE IS ALLERGIC TO.

20 13. ON JUNE 16, 2020 STANLEY WAS STILL ON A HUNGER STRIKE PASSING  
21 OUT TWICE STANLEY WAS STILL BEING SENT BY COOKS THE SAME  
22 MEAL EVERYDAY VIOLATING CONTRA COSTA COUNTY INMATE TITLE  
23 15 RULES THAT STATES INMATES WILL BE PROVIDED A VARIETY OF  
24 NUTRISHES MEALS(EVEN ALLERGY AND RELIGIONS MEALS) STANLEY  
25 WROTE TO DR. STANDISH (GRIEVANCE ATT) AND WAS TOLD DR. STANDISH  
26 WAS OUT AND DR. HOLLANDBERRY SAID SHE WOULD INVISTIGATE.

27 14. ON JUNE 23, 2020 STANLEY WAS NO LONGER ON A HUNGER STRIKE  
28 DUE TO MEDICAL CONCERNRS. COOKS WERE STILL SENDING STANLEY  
THINGS HE WAS ALLERGIC TO. STANLEY RELIED ON COMMISSARY  
TO SURVIVE INSIDE MARTINEZ DETENTION FACILITY. STANLEY RECEIVED  
A RESPOND BACK FROM DR STANDISH (COPY ATT) IN SUM SHE PERSONALLY  
SPOKE TO THE COOKS, AND DISCOVERED EVERY PATTY/MEAT-BASED MEAT WAS  
SOY BASED. ON JUNE 23, 2020, THE COOKS FINALLY GAVE STANLEY TUNA,  
FRESH VEGGIES AND FRUIT FOR LUNCH, AND CHICKEN BREAST, POTATOS  
AND FRESH VEGGIES FOR DINNER.

15. ON JULY 14, 2020 STANLEY WAS TRANSFERRED TO WEST COUNTY  
DETENTION FACILITY. AT MEAL TIME STANLEY PROVIDED DEPUTIES  
COPIES OF HIS ALLERGIC ALLERGIES, AS WELL AS THE COPY OF DR.  
STANDISH CONFIRMING COPY OF SPEAKING WITH COOKS IN MARTINEZ  
DETENTION FACILITY. THE COOKS IN WEST COUNTY PROVIDED

1 PLAINTIFF RICHARD STANLEY BEING ALLERGIC TO RICE CAUSED  
2 HIM TO WRITE A GRIEVANCE THAT WAS NEVER RESPONDED UPON.

3 16. ON JULY 16, 2020 STANLEY WENT ON A HUNGER STRIKE DUE TO  
4 COOKS NOT ACCOMMODATING STANLEY'S ALLERGIES. STANLEY HAD  
5 NURSES CALL DL. STANDISH TO CONFIRM THAT HE WAS BEING SERVED  
6 TUNA, CHICKEN BREAST AND DELI TURKEY BEFORE ARRIVING AT WEST  
7 COUNTY DETENTION FACILITY. THE COOKS WERE ASKED TO PROVIDE  
8 STANLEY THE SAME MEAL MARTINEZ DETENTION FACILITY PROVIDED  
9 STANLEY. DUE TO THE RIGHT AMOUNT OF HIGH PROTEIN AND CALORIES  
10 AND NOT RISKING STANLEY HEALTH WITH ANYTHING ELSE. INSTEAD  
11 THE COOKS IGNORED THE RECOMMENDATION AND GAVE STANLEY SOY  
12 BASED PROTEIN SHAKES EVERY MEAL, A. APPLE AND 2 BANANAS FOR  
13 BREAKFAST AND RICE PEA'S AND CORN FOR DINNER AND LUNCH EVERY  
14 SINGLE DAY UNTILL AUGUST 6, 2020.

15 17. ON AUGUST 6, 2020 STANLEY WAS ON A HUNGER STRIKE FOR  
16 21 DAYS. STANLEY PASSED OUT AND SUFFERED KIDNEY PAIN. DUE TO THE  
17 COOKS FEEDING STANLEY FOOD THAT HE WAS ALLERGIC TO. STANLEY  
18 WROTE GRIEVANCES TO NURSE VAL, THE COOKS, AND TO THE  
19 FACILITY COMMANDER (GRIEVANCES ATT) STANLEY AT THIS TIME  
20 WEIGHT WAS 243 POUNDS MEANING PLAINTIFF LOST 19 POUNDS DUE  
21 TO BEING ON A HUNGER STRIKE OFF AND ON BECAUSE OF COOKS  
22 DISREGARD OF STANLEY HEALTH.

23 18. On AUGUST 19, 2020 STANLEY STILL ON A HUNGER STRIKE  
24 SURVIVING AT THIS TIME OFF OF GATORADE, AND A HEALTH SHAKE  
25 OFF OF COMMISSARY. WATER AND VITAMINS CONDUCTED A SIT  
26 DOWN/PROTEST. CALLED FOX NEWS (LISA FERNANDEZ) INFORMING  
27 THE MEDIA ABOUT STANLEY CONDITIONS INSIDE OF CONTRA COSTA  
28 COUNTY JAIL. STANLEY AND ABOUT 21 INMATES REFUSED TO  
LOCK DOWN. THIS CAUSED FUL SERGEANT, AND FACILITY COMMANDER  
TO ARIVE. AFTER SEVERAL INMATES COMPLAIN ABOUT INDIVIDUALLY  
SEPERATE THINGS STANLEY DESIDED TO ADDRESS THE MATTER  
AT HAND. PLAINTIFF INFORMED THEM HE FEARED FOR HIS  
SAFETY DUE TO HIS (HEALTH, AND HIS PHYSICAL SAFETY)  
LT HERQUEZE INFORMED PLAINTIFF THAT HE PERSONALLY MAKE SURE  
SOME CHANGES BE MADE REGARDING STANLEY'S MEALS.

29 19. NOVEMBER 26, 2020 STANLEY HAS STILL BEEN PROVIDED THE SAME  
30 MEAL EVERYDAY SINCE AUGUST 6, 2020 STILL BEING DEPRIVED HIGH

1 PROTEINS AND CALORIES OF PLAINIFF IS BEING  
2 WAY UNDER 1500 CALORIES AND 54 GRAMS OF PROTEIN STANLEY WROTE  
3 MEDICAL EXPLAINING HE IS NO LONGER BUYING COMMISSARY AND  
4 CONCERN ABOUT HIS HEALTH DUE TO HIM BEING FORCED TO ONLY  
5 SURVIVE OFF FRUITS AND VEGGIES THAT IS ONLY GIVEN TO PLAINTIFF  
6 BY OTHER INMATES. MEALS ARE SERVED (4AM BREAKFAST) (10AM LUNCH)  
7 AND (4PM DINNER) STANLEY ACKNOWLEDGED MEDICAL AND COOKS  
8 ABOUT THESE MATTERS AT THIS TIME PLAINTIFF WEIGHT IS  
9 229 POUNDS.

10 20. ON DECEMBER 2 2020 PLAINTIFF STANLEY DESIDED TO GO BACK  
11 ON A HUNGER STRIKE NOT DRINKING ANY FLUIDS AS WELL... HE  
12 ATE HIS LAST MEAL ON THIS DAY WHICH WAS A SMALL AMOUNT  
13 OF FOOD AND WATER HE INFORMED MEDICAL HE WANT EAT OR  
14 DRINK UNTILL THE COOKS CONSIDER STANLEY PLEA.

## 15 V. EXHAUSTION OF LEGAL REMEDIES.

16 21. PLAINTIFF STANLEY USED THE COUNTY JAIL GRIEVANCE PROCEDURE  
17 AVAILABLE AT CONTRA COSTA COUNTY JAIL'S TO TRY AND  
18 ACKNOWLEDGED THE PROBLEM, AS WELL AS USED MEDICAL  
19 ASSISTANCE, FROM APRIL 8 2020 - DECEMBER 2 2020 AND STILL  
20 A CONTINVANCE. PLAINTIFF STANLEY PRESENTED "FACTS" RELATED TO  
21 COMPLAINT. ON NO TIME DID PLAINTIFF GET A ACCOMENDATION  
22 FROM COOKS UNTILL DR. STANDISH PROVIDED PROOF IN MARTINEZ  
23 DETENTION FACILITY. PLAINTIFF HAVE COPYS VERIFYING THAT STANLEY  
24 EXERCISED HIS RIGHTS (ALL GRIEVANCES AND ALLERGIC SLIPS AS  
25 WELL AS DR. STANDISH COPY ARE ALL ATTACHED)

## 26 VI. LEGAL CLAIMS

27 22. PLAINTIFF REALLEGE AND INCORPORATE BY REFERANCE  
28 PARAGRAPH. 1-21.

29 23. DEFENDANTS CONTRA COSTA COUNTY COOKS FAILED TO REGARD  
30 PLAINTIFF HEALTH BY DELIBERATELY SENDING STANLEY FOOD HE  
31 IS ALLERGIC TO. THEN PROVIDING PLAINTIFF BELOW 1500 CALORIES  
32 AND 54 GRAMS OF PROTEIN AND HIGH PROTEIN. PLAINTIFF WROTE  
33 GRIEVANCES REGARDING HIS HEALTH AND SAFETY AND EACH  
34 TIME DEFENDANTS FAILED IN COMPARATIVE NEGLIGENCE  
35 CAUSING PLAINTIFF RISK HIS HEALTH MORE TO GET THE

ATTENTION TO THE DEFENDANTS AND APPOINTMENT SENDING  
 SOY MEAT, RICE, AND SOY PROTEIN SHAKES. ALSO GIVEN PLAINTIFF ONLY  
 A APPLE 2 BANANAS AND A SOY PROTEIN SHAKE, FOR BREAKFAST AND  
 RICE PEAS AND CORN FOR LUNCH AND DINNER REPETITIVELY UPON  
 DELIBERATE DIFFERENCES PLAINTIFF WRITING GRIEVANCES PLAINTIFF FOD  
 LOOKED AS IF WITH NO CARE PREPARING PLAINTIFF MEAL DEFENDANTS  
 VICARIOUS LIABILITY AND FAILURE OF BREACH DUTY THAT CAUSED  
 PLAINTIFF STANLEY TO BE WITHOUT FOOD THAT ACCOMMODATES HIS  
 ALLERGIES, PASSING OUT A FEW TIMES, KIDNEY PAINS, LOST OF IRON  
 FORCING PLAINTIFF TO SURVIVE OFF OF COMMISSARY TO EAT.  
 DEFENDANTS IGNORED THE CONCERN OF STANLEY VIOLATING  
 PLAINTIFF RIGHTS UNDER THE EIGHTH AND FOURTEENTH AMENDMENT  
 TO THE UNITED STATES CONSTITUTION AND CAUSED PLAINTIFF STANLEY  
 PAIN, SUFFERING, PHYSICAL INJURY, EMOTIONAL DISTRESS AND DENYING  
 PLAINTIFF THE EQUAL PROTECTION OF LAWS.

23. PLAINTIFF STANLEY HAS NO PLAIN, ADEQUATE OR COMPLETE REMEDY  
 AT LAW TO REDRESS THE WRONGS BESIDES THE COPIES ATTACHED.  
 PLAINTIFF HAS BEEN AND WILL CONTINUE TO BE IRREPARABLY INJURED  
 BY THE CONDUCT OF THE DEFENDANTS UNLESS THE COURT GRANT  
 THE DECLARATORY AND INJUNCTIVE RELIEF WHICH PLAINTIFF SEEKS

## VII. PRAYER FOR RELIEF

WHEREFORE PLAINTIFF RESPECTFULLY PRAY THAT THIS COURT ENTER  
 JUDGMENT:

24. GRANTING PLAINTIFF STANLEY A DECLARATION THAT THE ACTS  
 AND OMISSIONS DESCRIBED HEREIN VIOLATES HIS RIGHTS UNDER  
 THE CONSTITUTION AND LAWS OF THE UNITED STATES AND.

25. A PRELIMINARY AND PERMANENT INJUNCTION ORDERING DEFENDANTS  
 CONTRA COSTA COUNTY JAIL COOKS TO CONSIDER INMATES HEALTH  
 AND THEIR SAFETY ALSO TO NEVER ALLOW A INMATE TO BE FED  
 THE PLAINTIFF WAS FED. AND

26. GRANTING PLAINTIFF STANLEY COMPENSATORY DAMAGES IN  
 THE AMOUNT OF \$100,000.00 AGAINST DEFENDANTS JOINTLY AND  
 SEVERALLY.

27. PLAINTIFF STANLEY SEEKS PUNITIVE DAMAGES IN THE AMOUNT  
 OF \$30,000.00 PLAINTIFF SEEKS THESE DAMAGES AGAINST DEFENDANTS  
 JOINTLY AND SEVERALLY.

28. PLAINTIFF ALSO SEEK A JURY TRIAL ON ALL ISSUES TRIABLE BY  
 JURY.

29. PLAINTIFF ALSO SEEK RECOVERY OF HIS COST IN THE AMOUNT  
OF \$3,600.00 DUE TO COMMISSARY AND ALSO PLAINTIFF SEEKS RECOVERY  
OF THE COST IN THIS SUIT AND.

30. ANY ADDITIONAL RELIEF THE COURTS DEEMS JUST PROPER AND  
EQUITABLE.

6 DATED: DECEMBER 4, 2020 FRIDAY  
7  
8  
9

10  
11 RESPECTFULLY SUBMITTED.  
12 RODRIC PETRECE STANLEY JR.  
13 #CC18K0926  
14 1639 47<sup>th</sup> AVE  
15 OAKLAND CA 94601  
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VERIFICATION

I HAVE READ THE FORGOING COMPLAINT AND HEREBY VERIFY  
THAT THE MATTERS ALLEGED THEREIN ARE TRUE, EXCEPT AS TO  
MATTERS ALLEGED ON INFORMATION AND BELIEF, AND AS TO THOSE  
I BELIEVE THEM TO BE TRUE. I CERTIFY UNDER PENALTY OF PERJURY  
THAT THE FORGOING IS TRUE AND CORRECT.

EXECUTED AT WEST COUNTY DETENTION FACILITY IN RICHMOND CA,  
ON DECEMBER 4, 2020



RODRIC PETRECE STANLEY JR.

**BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY**  
**INSTRUCTIONS TO CLAIMANT**

- A. A claim relating to a cause of action for death or for injury to person or to personal property or growing crops shall be presented not later than six months after the accrual of the cause of action. A claim relating to any other cause of action shall be presented not later than one year after the accrual of the cause of action.  
(Gov. Code § 911.2.)
- B. Claims must be filed with the Clerk of the Board of Supervisors at its office in Room 106, County Administration Building, 651 Pine Street, Martinez CA 94553.
- C. If claim is against a district governed by the Board of Supervisors, rather than the County, the name of the District should be filed in.
- D. If the claim is against more than one public entity, separate claims must be filed against each public entity.
- E. Fraud- See penalty or fraudulent claims, Penal Code Sec. 72 at the end of this form.

RE: Claim By: RODRIC PETRECE  
STANLEY Jr.

Reserved for Clerk's filing stamp

Against the County of Contra Costa or

(MDF)(WCF) Cook's )  
(Fill in the name) )  
Martinez Detention Facility )  
West County Detention Facility )  
Cook's )

The undersigned claimant hereby makes claim against the County of Contra Costa or the above-named district in the sum of \$ 30,000 and in support of the claim represents as follows:

1. When did the damage or injury occur? (Give exact date and hour)

April 20, 2020 12:54pm -

2. Where did the damage or injury occur? (Include city and county)

Martinez Detention Facility County Jail, Martinez (Contra Costa County) )  
West County  
Detention Facility, Richmond )

3. How did the damage or injury occur? (Give full details; use extra paper if required)

I was deprived high proteins ; given corn, lettuce ; carrots, everyday also given something i'm allergic to causing nausea, hives, swelling, Vomiting

4. What particular act or omission on the part of county or district officers, servants or employees caused the damage or injury? Ignoring my acknowledging of the Matter, I was denied a right, also i went on a hunger strike ; was not checked upon by any sergeant or nurse for 8 days ; given me a foul i'm allergic to causing

5. What are the names of county or district officers, servants or employees causing the damage or injury? Martinez County jail, West County Detention facility, Sergeant Haze, Ferish & Murphy

6. What damage or injuries do you claim resulted? (Give full extent of injuries or damages claimed. Attach two estimates for auto damage.) i paid for a meal, i was given a food i'm clearly allergic to ; suffered with hives, swelling, nausea, ; Vomiting, forced to be hungry for 19 days

7. How was the amount claimed above computed? (Include the estimated amount of any prospective damage or injury.) *The pain & suffering, the punitive punishment, the depriving of my rights.*

8. Names and addresses of witnesses, doctors and hospitals:

*Dr. Jessica C Standish, 2500 Alhambra ave Martinez Ca, 94553*

*Nurse Val 5585 Grantham Richmond Ca, 94806*

9. List the expenditures you made on account of the accident or injury:

<u>DATE</u>	<u>TIME</u>	<u>AMOUNT</u>

) Gov. Code Sec. 9110.2 provides "The claim shall be  
signed by the claimant or by some person on his behalf.

)

SEND NOTICES TO: (Attorney)

Name and address of Attorney

(Claimant's Signature)

*1639 47th ave Oakland Ca 94601*

(Address)

)

)

Telephone No.

Telephone No. *(510) 961-9308*

#### PUBLIC RECORDS NOTICE:

Please be advised that this claim form, or any claim filed with the County under the Tort Claims Act is subject to public disclosure under the California Public Records Act. (Gov. Code §§ 6500 et seq.) Furthermore, any attachments, addendums, or supplements attached to the claim form, including medical records, are also subject to public disclosure.

#### NOTICE:

*Section 72 of the Penal Code provides:*

Every person who, with intent to defraud, presents for allowance or for payment to any state board or officer, or to any county, city or district board or officer, authorized to allow or pay the same if genuine, any false or fraudulent claim, bill, account voucher, or writing, is punishable either by imprisonment in the County jail for a period of not more than one year, by a fine of not exceeding one thousand dollars (\$1000.00), or by both such imprisonment and fine, or by imprisonment in the state prison, by a fine of not exceeding ten thousand dollars (\$10,000.00), or by both such imprisonment and fine.

1  
2 RODRIC PETRECE STANLEY JR.  
3  
4 PLAINTIFF,  
5  
6 - V -  
7

8 WEST COUNTY DETENTION FACILITY  
9 CLASSIFICATION OFFICERS JONES, AND  
10 LUJAUN;  
11 SERGEANT BURNS, SERGEANT  
12 HAYES AND SERGEANT ELLIS  
13 DEFENDANTS.

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA

14 COMPLAINT

15 FILED *C*

16 JAN 22 2021

17 SUSAN Y. SOONG  
18 CLERK, U.S. DISTRICT COURT  
19 NORTH DISTRICT OF CALIFORNIA  
20 OAKLAND OFFICE

21 I. JURISDICTION AND VENUE

22 1. THIS IS A CIVIL ACTION AUTHORIZED BY 42 U.S.C SECTION 1983 TO  
23 REDRESS THE DEPRIVATION, UNDER COLOR OF STATE LAW, OF RIGHTS  
24 SECURED BY THE CONSTITUTION OF THE UNITED STATES. THE COURT  
25 HAS JURISDICTION UNDER 28 U.S.C. SECTION 1331 AND 1333 (A)(3).  
26 PLAINTIFF STANLEY SEEKS DECLARATORY RELIEF PURSUANT TO 28.  
27 U.S.C. SECTION 2201 AND 2202. PLAINTIFF STANLEY CLAIMS FOR  
28 INJUNCTIVE RELIEF ARE AUTHORIZED BY 28 U.S.C. SECTION 2283  
AND 2284 AND RULE 65 OF THE FEDERAL RULES OF CIVIL PROCEDURE.

2. THE NORTHERN DISTRICT OF CALIFORNIA IS AN APPROPRIATE VENUE UNDER  
28 U.S.C. SECTION 1331 (B) (2) BECAUSE IT IS WHERE THE EVENTS  
GIVING RISE TO THIS CLAIM OCCURRED.

II. PLAINTIFF

3. PLAINTIFF RODRIC PETRECE STANLEY JR. IS AND WAS AT ALL TIMES  
MENTIONED HEREIN A INMATE AT CONTRA COSTA COUNTY DETENTION  
FACILITY IN CUSTODY OF BOTH MARTINEZ DETENTION FACILITY AND  
WEST COUNTY DETENTION FACILITY. HE IS CURRENTLY CONFINED  
IN WEST COUNTY DETENTION FACILITY.

## III. DEFENDANTS

4. DEFENDANT LUJUAN IS A ASSIGNED CLASSIFICATION OFFICER FOR WEST COUNTY DETENTION FACILITY. HE IS LEGALLY RESPONSIBLE FOR THE HOUSING OF PROTECTED CUSTODY INMATES.

5. DEFENDANT JONES IS A ASSIGNED CLASSIFICATION OFFICER FOR WEST COUNTY DETENTION FACILITY. HE IS LEGALLY RESPONSIBLE FOR THE HOUSING OF PROTECTED CUSTODY INMATES.

6. DEFENDANT BURNS IS A ASSIGNED SERGEANT FOR WEST COUNTY DETENTION FACILITY HE IS LEGALLY RESPONSIBLE FOR THE OPERATION OF WEST COUNTY DETENTION FACILITY AND FOR THE WELFARE OF ALL THE INMATES AND DEPUTIES SAFETY OF THE FACILITY.

7. DEFENDANT HAYES IS A ASSIGNED SERGEANT FOR WEST COUNTY DETENTION FACILITY. HE IS LEGALLY RESPONSIBLE FOR THE OPERATION OF WEST COUNTY DETENTION FACILITY AND FOR THE WELFARE OF ALL THE INMATES AND DEPUTIES SAFETY OF THE FACILITY.

8. DEFENDANT ELLIS IS A ASSIGNED SERGEANT FOR WEST COUNTY DETENTION FACILITY. HE IS LEGALLY RESPONSIBLE FOR THE OPERATION OF WEST COUNTY DETENTION FACILITY AND FOR THE WELFARE OF ALL THE INMATES AND DEPUTIES SAFETY OF THE FACILITY.

9. EACH DEFENDANT IS SUED INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY. AT ALL TIMES MENTIONED IN THIS COMPLAINT EACH DEFENDANT ACTED UNDER COLOR OF STATE LAW.

## IV. FACTS

10. ON AUGUST 19 2020 PLAINTIFF STANLEY CONDUCTED A SIT DOWN (PROTEST) PERTAINING A NUMBER OF HEALTH AND SAFETY ISSUES ONE PERTAINING A ISSUE( BEING LEGALLY ADDRESSED AS WELL IN CIVIL SUIT) BEING FED FOOD STANLEY IS CLEARLY ALLERGIC TO, AND BEING IGNORED FROM SERGEANT, BURNS, HAYES AND ELLIS AFTER FILING MORE THAN 3 GRIEVANCE ABOUT FEARING FOR SAFETY AND HEALTH. STANLEY FEARING FOR OTHER THINGS CALLED FOX NEWS LETTING THE MEDIA KNOW JUST IN CASE SOMTHING HAPPEN.

11. ABOUT 18 INMATES WERE OUTSIDE WHEN MULTIPUL OUTSIDE DEMANDING ~~INMATES~~ RETURN TO ~~THEIR~~ CELLS. SERGEANT BURNS AND HAYES COMMANDED THAT IF ~~THEY~~ DID NOT RETURN THEY WOULD USE FORCE, WITHOUT TRYING TO FIGURE OUT WHY THE PROTEST

1 WAS BEING CONDUCTED, ALMOST EVERY INMATE HAD DIFFERENT THINGS THEY WANTED  
 2 TO ADDRESS BASED ON NO ONE SEEMED TO GET ANY RESPONSE FROM THERE  
 3 GRIEVANCES. STANLEY DESIRED TO SPEAK OUT ABOUT THE ISSUE AT HAND  
 4 "STANLEY STATED THAT HE FEAR FOR HIS SAFETY AND HIS HEALTH."  
 SERGEANT BURNS STATED THAT THERE'S NOTHEN HE CAN DO.

5  
 6 12. ON AUGUST 20, 2020 PLAINTIFF STANLEY NOTICED THAT THERE'S  
 7 4 INMATES FOUND GUILTY WITH DIFFERENT SENTENCING, BUT ALL FOUR OF  
 THE INMATES WERE SENTENCED TO LIFE ONE INMATE WAS SENTENCED  
 TO 3 LIFE SENTENCES. THERE WAS EX GANG MEMBERS AND HIGHLY VIOLENT INMATES

8 13. STANLEY REALIZED MOST OF ALL THE INMATES WERE VIOLENT, AND THAT  
 9 MOST WERE WAITING FOR THERE TRANSFER TO PRISON, DUE TO COVID 19  
 10 CDC WAS NOT ACCEPTING PRISONERS, SO MULTIPUL INMATES WERE WAITING

11 14. STANLEY FEARING FOR HIS SAFETY WROTE A REQUEST SLIP ASKING  
 12 CLASSIFICATION CAN HE BE REHOUSED BASED ON THE CIRCUMSTANCES  
 "THERE WAS NO RESPOND BACK AT ALL" CAUSING STANLEY TO BE CONCERN

13 15. ON AUGUST 29, A INMATE AWAITING TRIAL FOR MURDER BOAST ON HOW  
 14 HE WAS ABOUT TO ASSAULT PLAINTIFF TO SOME OTHER INMATES,  
 STANLEY UNAWARE OF THESE ALLEGATIONS WAS ON THE PHONE.

15 16. AT ABOUT 9:28PM THE INMATE BLIND SIDED PLAINTIFF STANLEY  
 16 FRACTVRERING STANLEY NOSE AND DAMAGES TO HIS LEFT EYE CAUSING  
 17 PERNEMENT REDNESS AND SENSITIVITIE TO LIGHT. PLAINTIFF WAS  
 PEPPER SPRAYED AND ALSO SENT TO THE HOSPITAL.

18 17. ON AUGUST 30 STANLEY WAS DISCHARGED AND BROUGHT BACK  
 19 TO WEST COUNTY DETENTION FACILITY BACK TO THE BUILDING HE  
 20 WAS ASSAULTED AT, WHICH IS LOCKDOWN BUILDING 4. CONCERN  
 21 OF THIS THING BECAUSE OF THE DISFIGUREMENT OF HIS FACE  
 22 AND LACK OF SAFETY HE REQUEST TO TALK TO THE CLASSIFICATION  
 OFFICER, THE RESPONSE BACK WAS "I ALREADY TALK TO HIM REFERING  
 23 TO STANLEY. WHEN HE WAS BACK INSIDE HIS CELL STANLEY  
 24 NOTICED A "KITE" (A PIECE OF PAPER OR NOTE WITH WRITING)  
 25 THAT EXPLAINED THAT "THEY WAS GONE KILL STANLEY AND STAB HIM  
 AND IT WASN'T OVER". STANLEY FELT BECAUSE HIS PLEA FOR A  
 26 REHOUSING FELL ON DEAF EAR WITH SERGEANT'S AND CLASSIFICATION  
 HE WOULD CONTACT PRISON LAW OFFICE AND HIS LAWYER.

27 18. ON SEPTEMBER 1 2020 JONES CAME INSIDE BUILDING 4 AND WAS TALKING  
 28 TO ANOTHER INMATE ~~STANLEY~~ DESIDED TO WRITE A GRIEVANCE REGARDING

1 THE HOUSING JONES TALKED TO STANLEY AND TOLD STANLEY HE WAS  
 2 PROPERLY HOUSED, STANLEY DISAGREED EXPLAINING HE FEARED FOR HIS  
 3 SAFETY. JONES LEFT WITHOUT GIVEN PLAINTIFF A COPY OF THE GRIEVANCE.

4 19. STANLEY WROTE ANOTHER GRIEVANCE ACKNOWLEDGING THE FACT HE  
 5 HE DIDNT GET A COPY OF THE LAST GRIEVANCE AND ABOUT HIM BEING  
 6 NOT TAKEN SERIOUS ABOUT HIS SAFETY.

7 20. ON SEPTEMBER 30 2020 PLAINTIFF STANLEY RECEIVED ANOTHER KITE  
 8 STATING THAT HE WAS GOING TO DIE THEY SAW STANLEY TALKING TO  
 9 CLASSIFICATION. AND NO MATTER WHERE STANLEY BE MOVED HE HAD  
 10 A DEATH SENTENCED AND HE WAS GOING TO GET TOUCHED.

11 21. STANLEY TOLD THE FLOOR OFFICER HE FEAR FOR HIS SAFETY AROUND  
 12 1PM THE OFFICER CONFINED STANLEY INSIDE HIS CELL STATING HE  
 13 HAD TO KEEP HIM STANLEY LOCKED DOWN UNTIL CLASSIFICATION  
 14 COME AND TALK TO HIM. CLASSIFICATION NEVER CAME AND TALK TO  
 15 STANLEY LEAVING HIM LOCKED INSIDE HIS CELL WITH <sup>NO</sup> ACCESS TO  
 16 A SHOWER OR PHONE.

17 22. ON OCTOBER 1 2020 JONES CAME AND GAVE STANLEY A OPTION TO  
 18 EITHER REMAIN HOUSED IN BUILDING 4 OR RECLASS HIMSELF AND GO  
 19 TO GENERAL POPULATION. STANLEY NO FROM PRIOR STORY'S ABOUT  
 20 INMATES WITH CHARGES THAT ARE SEX CHARGES STAND NO CHANCE  
 21 ON GENERAL POPULATION. INMATES WITH CHARGES TEND TO GET  
 22 JUMPED, STABBED, RAPED, OR DIE. DUE TO THESE OPTIONS STANLEY  
 23 FELT THAT JONES WAS MALICIOUSLY TRYING TO HAVE STANLEY HARMED  
 24 AND EXPLAIN THAT HE AGAIN FEAR FOR HIS SAFETY. JONES STATED  
 25 HE WILL NOT HOUSE HIM TO ANOTHER BUILDING.

26 23. ON OCTOBER 11, 2020 STANLEY WAS LEAVING THE NURSE SEEING  
 27 LUJUAN HE ASKED HIM CAN HE HAVE A MOMENT OF HIS TIME  
 28 LUJUAN DISMISSED STANLEY BY WAVING STANLEY OFF SAYING "IM DONE  
 TALKIN TO YOU". STANLEY THEN ASK "HOW IS IT NOBODY WHO IS  
 ASSIGNED TO HOUSE HIM CONCERN ABOUT HIS SAFETY". LUJUAN STATED  
 THAT BECAUSE "YOU ARE SUEING ME I AM NOT HOUSING YOU ANYWHERE  
 UNLESS YOU WILLING TO GO TO GENERAL POPULATION IM NOT MOVING  
 YOU ANY WHERE ELSE". STANLEY BROUGHT UP THE FACT THAT HE  
 WAS MANIPULATED BY BEING HOUSED INTO BUILDING 4 AND THAT  
 HE WAS AROUND VIOLENT INMATES AND THAT HE HAD NO  
 VIOLENT BACKGROUND BEING INCARCERATED 2 YEARS WITH NO FIGHTS

1 STANLEY ASKED WHY WAS HE NOT HOUSED ON A NON-LOCKED DOWN HOUSING  
 2 UNIT LUJUAN AGIN STATED HE IS NOT MOVING STANLEY AND STATED HE  
 3 WAS DONE TALKING.

4 24. ON OCTOBER 20, 2020 PLAINTIFF STANLEY WAS TOLD BY A  
 5 INMATE WHO HE SOCIALIZE WITH TOLD HIM THAT TWO INMATES WERE  
 6 TALKING ABOUT STABBING STANLEY BECAUSE OF HIS CHARGES. INMATE STANLEY  
 7 ASK WHO IT WAS AND THE INMATE SAID IT WAS A SHORT DUDE AND  
 8 HE ALWAYS FIGHTING. DUE TO STANLEY NOT AWARE OF WHO IT WAS.  
 9 STANLEY KEPT CLOSE TO A AREA WHERE NO ONE CAN GET BEHIND HIM

10 25. DUE TO THE FAILURE OF LUJUAN BREACH OF DUTY A EMPLOYEE OF N  
 11 RESPONDEAT SUPERIOR SERGENTS WHO FAILED PLAINTIFF STANLEY WITH  
 12 VICARIOUS LIABILITY BY JONES. STANLEY WAS SUFFERING FROM  
 13 NEGLIGENCE ENTRUSTMENT, HIS SAFETY WAS JEOPARDIZED WITH NO  
 14 PROMISE OF PROTECTION ALTHOUGH HOUSED IN PROTECTIVE CUSTODY.

15 26. DEPUTIES INSTRUCTED ALL INMATES TO GO TO THE COURTYARD  
 16 FOR ANOTHER INMATE WHO IS ALSO IN FEAR FOR HIS SAFETY  
 17 ALL 20+ INMATES WERE OUTSIDE INCLUDING STANLEY. THE DOOR WAS  
 18 LOCKED TO THE COURT.YARD

19 27. PLAINTIFF WAS POSITIONED ON THE WALL KEEPING HIS EYES OPEN  
 20 FOR THE DESCRIPTION HE WAS NOTIFIED ON. WHEN HE TURNED  
 21 HIS HEAD HE WAS AGAIN ATTACKED BEING BLIND SIDED BY  
 22 A SHORT DUDE. STANLEY WAS CUT WITH A OBJECT UNDER  
 23 HIS LEFT EAR AND HAD SWELLING ON HIS JAW.

24 28. STANLEY ASKED CAN HE TALK TO CLASSIFICATION OR A SERGEANT  
 25 BUT WAS TOLD THEY WERE RESPONDING TO ANOTHER ISSUE.  
 26 JONES CAME AND TALKED WITH STANLEY AND STANLEY AGAIN  
 27 ADDRESSED HIS SAFETY AND HIS HOUSING. STANLEY SHOWED JONES  
 28 THE "KITES" AND JONES ASKED FOR THEM STANLEY REFUSED INSTEAD  
 LET JONES COPY THEM BECAUSE STANLEY FELT IF HE GAVE THEM  
 TO JONES HE WOULD NOT SEE THEM AGAIN. HE TOLD JONES HE  
 IS GIVING THEM TO HIS LAWYER. JONES EXPLAINED TO STANLEY  
 THAT IS NOT MOVING HIM BUT HE NEEDED STANLEY TO REMAINED  
 INSIDE HIS CELL UNTILL THEY FIGURE OUT WHO WROTE THE  
 "KITES". STANLEY REFUSED TELLING JONES ITS UNFAIR AND HE  
 WOULD BE KEPT IN HIS CELL DEPRESSED AND SUFFERING ANXIETY  
 UNTILL THE INVESTIGATE SOMTHING THAT WAS CLEAR HIS SAFETY WAS  
 AT RISK. SERGEANT HAYES AND DEPUTIES ARRIVED IN BUILDING H IN

1 RESPONSE OF HIM REFUSING TO LOCK DOWN, DEMANDING TO TALK TO A  
 2 SERGEANT. SERGEANT HAYES DISCREDITED STANLEY PLEA FOR HIS SAFETY  
 3 INSTEAD SAID IF YOU WANT LOCKDOWN YOU WILL BE BY FORCE.  
 4 STANLEY DONT PUT YOUR HANDS ON ME SERGEANT HAYES DIRECTED  
 5 THE DEPUTIES TO OBEY HIS ORDERS AND STANLEY WAS FORCED OUT OF  
 6 HIS CHAIR BEING HARMED BY A DEPUTY WHO USE UNNECESSARY  
 7 FORCE. STANLEY WAS ESCORTED TO INTAKE WITH FULL COMPLIANCE

8  
 9  
 10 29. STANLEY WAS ESCORTED TO MARTINEZ DETENTION FACILITY  
 11 WITH A INCIDENT REPORT PLACED IN D: MODUEL (THE HOLE)  
 12 BEING FOUND GUILTY.

13 30. ON OCTOBER 30 2020 STANLEY WAS ESCORTED BACK TO  
 14 WEST COUNTY DETENTION FACILITY WHILE "INTAKE" STANLEY ASKED  
 15 WHERE WAS HE BEING HOUSED. HE WAS TOLD BACK TO  
 16 4 BUILDING. STANLEY SAID HE IS NOT GOIN BACK TO 4 BUILDING  
 17 BECAUSE OF HIM FEARING HIS SAFETY. SERGEANT ELLIS  
 18 TOLD DEPUTIES TO SEND HIM BACK TO D. MODUEL.  
 19 STANLEY JUST TO BE CLEAR ASKED "SO AFTER PROVIDING  
 20 CLASSIFICATION "KITES" VERIFYING BEFOR A 2ND ASSAULT  
 21 AND AFTER BEING ATTACKED TWICE. AND AFTER  
 22 TELLING YOU I FEAR FOR MY SAFETY. YOU SENDING ME  
 23 BACK TO A DISCIPLINARY UNIT. WITH A INCIDENT REPORT AS  
 24 "IF IM DOEN SOMTHING WRONG" SERGEANT ELLIS REPLIED  
 25 "IM DONE PLAYING GAMES" AND HAD DEPUTIES MANLUFF  
 26 STANLEY, AND ESCORTING HIM BACK TO MARTINEZ DETENTION  
 27 FACILITY D. MODUEL

#### V. EXHAUSTION OF LEGAL REMEDIES

28 31. PLAINTIFF STANLEY USED THE COUNTY JAIL GRIEVANCE PROCEDURE  
 29 AVAILABLE AT WEST COUNTY DETENTION FACILITY TO TRY AND  
 30 ACKNOWLEDGE THE PROBLEM ON AUGUST 13 2020. SEPTEMBER 1 2020,  
 31 AND SEPTEMBER 30, 2020 PLAINTIFF STANLEY PRESENTED FACTS  
 RELATED TO COMPLAINT. ON NO TIME DID PLAINTIFF GET A RESPOND  
 BACK FROM CLASSIFICATION OR SERGENTS BUT ONLY HAVE COPY'S  
 VERIFYING PLAINTIFF STANLEY DID EXERCISE HIS RIGHTS STANLEY'S  
 "KITES" AND GRIEVANCE'S ARE ATTACHED.

## VI. LEGAL CLAIMS

32. PLAINTIFF RESTATE AND INCORPORATE BY REFERENCE PARAGRAPH 1-33.

33. DEFENDANT BURNS FAILED TO REGARD PLAINTIFF CONCERN OF HIS SAFETY HIS PART AS IN COMPARATIVE NEGLIGENCE, NOT PREVENTING A SAFETY ISSUE THAT CAUSED A CHAIN OF EVENTS. DEFENDANT BURNS IGNORED GRIEVANCE'S WRITTE BY PLAINTIFF AND FAILED TO RESPOND BACK DEFENDANT BURNS ACTIONS VIOLATED PLAINTIFF STANLEY RIGHTS UNDER THE EIGHTH AMENDMENT TO THE UNITED STATES CONSTITUTION, AND CAUSED PLAINTIFF STANLEY PAIN, SUFFERING, PHYSICAL INJURY, EMOTIONAL DISTRESS, AND P.T.S.D

34. DEFENDANT JONES DELIBERATELY IGNORED THE PLEA PLAINTIFF STANLEY ADDRESSED OF HIS SAFETY. BY FILING A GRIEVANCE STANLEY PRACTICED THE PROCEDURES OF CONTRA COSTA COUNTY INMATE GRIEVANCE JONES NEVER RESPONDANT BACK, JONES MALICIOUS INTENT GIVING STANLEY A OPTION TO RECLASS TO GENERAL POPULATION AWARE WITH HIS TRAINING AND EXPERIENCE THAT INMATES WITH SEX CHARGES ARE POSED A LIABILITY IS PRONE TO BE ASSAULTED. JONES VICARIOUS LIABILITY AND FAILURE OF BREACH OF DUTY, THAT CAUSED PLAINTIFF TO BE ASSAULTED NOT ONCE BUT TWICE. AWARE OF STANLEY FEAR AND CONCERN MALICIOUSLY IGNORED THE CONCERN VIOLATES PLAINTIFF STANLEY RIGHTS UNDER THE EIGHTH AND FOURTEENTH AMENDMENT TO THE UNITED STATES CONSTITUTION, AND CAUSED PLAINTIFF STANLEY PAIN, SUFFERING, PHYSICAL INJURY, EMOTIONAL DISTRESS AND DENYING OF THE EQUAL PROTECTION OF LAWS.

35. DEFENDANT LUJUAN DELIBERATELY IGNORED THE PLEA PLAINTIFF STANLEY ADDRESSED OF SAFETY AND CONCERNS. PLAINTIFF STANLEY WAS TOLD WITH DELIBERATE DIFFERENTCES THAT BECAUSE STANLEY WOULD SUE DEFENDANT HE WOULD NOT MOVE STANLEY DESPITE STANLEY ADDRESSING HIS CONCERNS LUJUAN MALICOUS INTENT GIVING STANLEY A OPTION TO RECLASS TO GENERAL POPULATION AWARE WITH HIS TRAINING AND EXPERIENCE THAT INMATES WITH SEX CHARGES ARE POSED AS A LIABILITY AND IS PRONE TO BE ASSAULTED. LUJUAN VICARIOUS LIABILITY'S AND FAILURE OF BREACH OF DUTY THAT CAUSED PLAINTIFF STANLEY TO BE ASSAULTED NOT ONCE BUT TWICE. AWARE OF STANLEY FEAR AND CONCERNS, MALICOUS IGNORED THE CONCERNS OF STANLEY VIOLATES PLAINTIFF STANLEY RIGHT UNDER THE EIGHTH AND FOURTEENTH AMENDMENT TO THE UNITED STATES

CONSTITUTION AND CAUSED PLAINTIFF STANLEY PAIN, SUFFERING, PHYSICAL INJURY, EMOTIONAL DISTRESS AND DENYING PLAINTIFF STANLEY THE EQUAL PROTECTION OF LAWS.

36. DEFENDANT HAYES DISREGARDED STANLEY PLEA FOR HIS SAFETY BY IGNORING HIS REQUEST TO BE PROPERLY HOUSED. DEFENDANT RESPOND TO ANY OF THE GRIEVANCE BUT DELIBERATELY IGNORED PLAINTIFF STANLEY AS A RESPONDEAT SUPERIOR SERGENT WHO FAILED PLAINTIFF VIOLATES PLAINTIFF STANLEY RIGHTS UNDER EIGHTH AMENDMENT TO THE UNITED STATES CONSTITUTION, AND CAUSED PLAINTIFF STANLEY PAIN, SUFFERING AND EMOTIONAL DISTRESS.

37. DEFENDANT ELLIS DELIBERATELY IGNORED PLAINTIFF STANLEY WITH MILITANT INTENT PLANNED TO ASSIGNED STANLEY BACK TO BUILDING 4 WERE STANLEY WAS ATTACKED TWICE, AS A RESPONDEAT SUPERIOR SERGEANT WHO FAILED PLAINTIFF VIOLATES PLAINTIFF STANLEY'S RIGHTS UNDER EIGHTH AMENDMENT TO THE UNITED STATES CONSTITUTION AND CAUSED PLAINTIFF STANLEY PAIN, SUFFERING AND EMOTIONAL DISTRESS.

38. BY DEFENDANT LUJUAN STATING BECAUSE OF PLAINTIFF STANLEY SUEING HIM HE WILL NOT MOVE STANLEY RETALIATING AGAINST PLAINTIFF UNLAWFULLY, IN VIOLATION OF PLAINTIFF STANLEY FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION THESE ACTIONS ALSO ILLEGAL CAUSED PLAINTIFF STANLEY INJURY TO HIS FIRST AMENDMENT RIGHT.

39. PLAINTIFF STANLEY HAS NO PLAIN, ADEQUATE OR COMPLETE REMEDY AT LAW TO REDRESS THE WRONGS BESIDE VIDEO CAMERA THAT PLAINTIFF HAS NO ACCESS TO DESCRIBE HEREIN. PLAINTIFF HAS BEEN AND WILL CONTINUE TO BE IRREPARABLY INJURED BY THE CONDUCT OF THE DEFENDANTS UNLESS THE COURTS GRANT THE DECLARATORY AND INJUNCTIVE RELIEF WHICH PLAINTIFF SEEKS.

## VII. PRAYER FOR RELIEF

WHEREFORE, PLAINTIFF RESPECTFULLY PRAY THAT THIS COURT ENTER JUDGMENT:

40. GRANTING PLAINTIFF STANLEY A DECLARATION THAT THE ACTS AND OMISSIONS DESCRIBED HEREIN VIOLATES HIS RIGHTS UNDER THE CONSTITUTION AND LAWS OF THE UNITED STATES. AND

41. A PRELIMINARY AND PERMANET INJUNCTION ORDERING DEFENDANTS BURNS, JONES, LUJUAN, ELLIS AND HAYES STOP DISREGARDING THE SAFETY OF OTHERS, AND NOT CONTINUE ALLOW OTHER INMATES TO FEAR FOR THEIR SAFETY AND NOT DO ANYTHING, AND

42. GRANTING PLAINTIFF STANLEY COMPENSATORY DAMAGES IN THE AMOUNT

1  
2 UF\$175,000 AGAINST EACH DEFENDANT, JOINTLY AND SEVERALLY.  
3  
4

43. PLAINTIFF STANLEY SEEKS PUNITIVE DAMAGES IN THE AMOUNT OF  
4 \$175,000.00 PLAINTIFF SEEKS THESE DAMAGES AGAINST EACH  
DEFENDANT, JOINTLY AND SEVERALLY.

44. PLAINTIFF ALSO SEEK A JURY TRIAL ON ALL ISSUES TRIABLE BY  
JURY.

45. PLAINTIFF ALSO SEEK RECOVERY OF HIS COSTS IN THIS SUIT  
AND.

46. ANY ADDITIONAL RELIEF THE COURTS DEEMS JUST PROPER AND  
EQUITABLE.

11 DATED:

13 RESPECTFULLY SUBMITTED,

14 RUDRIC PETRECE STANLEY JR.  
15 #CC18K0926

16  
17  
18 VERIFICATION

19 I HAVE READ THE FORGOING COMPLAINT AND HEREBY VERIFY THAT  
20 THE MATTERS ALLEGED THEREIN ARE TRUE, EXCEPT AS TO MATTERS  
21 ALLEGED ON INFORMATION AND BELIEF, AND AS TO THOSE, I BELIEVE  
22 THEM TO BE TRUE. I CERTIFY UNDER PENALTY OF PERJURY THAT THE  
FORGOING IS TRUE AND CORRECT.

23 EXECUTED AT RICHMOND, CALIFORNIA ON



24 RUDRIC PETRECE STANLEY JR.

**BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY**  
**INSTRUCTIONS TO CLAIMANT**

- A. A claim relating to a cause of action for death or for injury to person or to personal property or growing crops shall be presented not later than six months after the accrual of the cause of action. A claim relating to any other cause of action shall be presented not later than one year after the accrual of the cause of action.  
(Gov. Code § 911.2.)
- B. Claims must be filed with the Clerk of the Board of Supervisors at its office in Room 106, County Administration Building, 651 Pine Street, Martinez CA 94553.
- C. If claim is against a district governed by the Board of Supervisors, rather than the County, the name of the District should be filed in.
- D. If the claim is against more than one public entity, separate claims must be filed against each public entity.
- E. Fraud- See penalty or fraudulent claims, Penal Code Sec. 72 at the end of this form.

RE: Claim By: RODRIC P. STANLEY Jr.

Reserved for Clerk's filing stamp

Against the County of Contra Costa or )

WEST COUNTY DETENTION FACILITY )  
(Fill in the name) )

Classification : Sergeant's )

The undersigned claimant hereby makes claim against the County of Contra Costa or the above-named district in the sum of \$175,000.00 and in support of the claim represents as follows:

1. When did the damage or injury occur? (Give exact date and hour)  
August 29, 2020 Saturday 9:28pm
2. Where did the damage or injury occur? (Include city and county)  
West County Detention Facility, Richmond Contra Costa County
3. How did the damage or injury occur? (Give full details; use extra paper if required)  
Being assaulted by a high risk inmate while i talked on the phone  
(See paper attached)
4. What particular act or omission on the part of county or district officers, servants or employees caused the damage or injury? Housing me in a building were high risk inmates who are sentence to Life in prison, Jeopardizing my person after being addressed multiple times, Classification & Sergeants failed to properly house me
5. What are the names of county or district officers, servants or employees causing the damage or injury? Sergeant Burns, Classification Jones, Luman
6. What damage or injuries do you claim resulted? (Give full extent of injuries or damages claimed. Attach two estimates for auto damage.) My eye was infected, Causing me to only be able to see out of my right eye, my nose was fractured, i have a cut in the middle of my nose, My face was disfigured.

7. How was the amount claimed above computed? (Include the estimated amount of any prospective damage or injury.) Pain & suffering, anguish, mental abuse, PTSD diagnosis  
of my eye & nose (face) hospital bill

8. Names and addresses of witnesses, doctors and hospitals:  
5555 Giant highway Richmond Va. Nurse Rose  
Michael H. Nguyen, MD 1500 Alhambra, Martinez Ca, 94563

9. List the expenditures you made on account of the accident or injury:

DATE      TIME      AMOUNT

- ) Gov. Code Sec. 9110.2 provides "The claim shall be signed by the claimant or by some person on his behalf.

SEND NOTICES TO: (Attorney)

---

Name and address of Attorney

(Claimant's Signature)

1639 47<sup>th</sup> ave Oakland Ca 94601

(Address)

Telephone No. \_\_\_\_\_ Telephone No. 610146-4388

## PUBLIC RECORDS NOTICE:

Please be advised that this claim form, or any claim filed with the County under the Tort Claims Act is subject to public disclosure under the California Public Records Act. (Gov. Code §§ 6500 et seq.) Furthermore, any attachments, addendums, or supplements attached to the claim form, including medical records, are also subject to public disclosure.

**NOTICE:**

*Section 72 of the Penal Code provides:*

Every person who, with intent to defraud, presents for allowance or for payment to any state board or officer, or to any county, city or district board or officer, authorized to allow or pay the same if genuine, any false or fraudulent claim, bill, account voucher, or writing, is punishable either by imprisonment in the County jail for a period of not more than one year, by a fine of not exceeding one thousand dollars (\$1000.00), or by both such imprisonment and fine, or by imprisonment in the state prison, by a fine of not exceeding ten thousand dollars (\$10,000.00), or by both such imprisonment and fine.

#3 How did the damage or injury occur? I brought to classification attention that my person was in danger. nothing happen when addressed, on August 29 2020 i was assaulted i was upstairs in building 4 talking on the phone when a inmate punched me striking my eye & causing the phone in my hand to strike my nose fracturing the left part of the bridge of my nose i alone was pepper sprayed in the same eye i was assaulted by the inmate.